

THE CONGRESS-LEAGUE SCHEME AN EXPOSITION

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The Public Services in Ind

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Some Press Opinions.

'The case of the Indian Public has ably been set forth in a book prepared by Mr. H. N. Kunzru which has just been issued by Allahabad Branch of the Servants of India Society.....We invite attention of the Government as well as of the public to this pamphlet *The Public Services in India*, not merely because it is an able and historical review of the whole question but also because it stress it has laid on the fundamental principles which ought to be followed in recruiting for the public services in this country.'

'The Servants of India Society, Allahabad, have just published the second in their series of "Political Pamphlets," Mr. Hirday Kunzru's *Public Services in India* (Aryabhushan Press, Poona).

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When the war at long last comes to an end, we shall find ourselves confronted with a maze of difficulties such as no generation of man, of whom we have any record, have ever had to face before. As the war itself is the greatest in history, so will its aftermath be the most prodigious. And upon all those who are not of necessity wholly absorbed in the conduct of the war itself, there rests no higher obligation than to think constantly, strenuously, connectedly, with soberness but also, if they are fortunate enough to possess it, with imagination, of the new measures and methods by which those difficulties may haply be overcome.

—Lord Milner.

THE CONGRESS-LEAGUE SCHEME

AN EXPOSITION

FUNDAMENTALS OF THE SCHEME

The fundamental ideas of the Congress-League scheme of post-war reforms may be summarised under a few heads:—

1. The voice of the duly elected representatives of the people should prevail both in the Indian and in the provincial legislative councils, and for this purpose these elected representatives should be in a substantial majority.

2. These legislative councils should in their respective spheres enjoy complete freedom of legislation, subject of course to certain exclusions and to the veto first of the head of the province concerned and then of the Governor-General, and to disallowance by the Crown.

3. The legislative councils should have full control of the finances of the country. This includes the power of regulating the taxation and expenditure of the State, omitting certain specified heads, and also the power of fixing the tariff, not only for the purposes of revenue, but, if it be deemed necessary, for encouraging indigenous manufactures and industries and thus utilising to the full the economic resources of the land.

4. The councils should have the power of controlling the executive, though not of turning them out of office.

5. To ensure that the representatives voice the real needs and wishes of the people, they should be elected by ballot on a direct and wide franchise.

6. To safeguard the constitutional rights of the subject in respect of person and property, freedom of movement and expression of opinion, etc., as well as to administer justice between subject and subject, the courts of the land should be manned by a judiciary, independent of the executive and controlled by the high courts of the several provinces.

Each of these reforms is a wide departure from existing conditions. At present the executive Government, which is almost exclusively British, monopolises all power. The elected members of the legislative councils have some opportunities of criticising the administration and suggesting improvements; but the executive have everywhere the power of getting such laws passed as they desire and employing the financial and economic resources of the country in ways that seem to them proper, while the judiciary in some ranks do not enjoy the complete independence of the executive that they should, and are precluded by law in certain classes of cases from protecting the citizen against the encroachments of the executive. The ruling class who wield these vast powers are generally unwilling to yield them even in part, and the European community in India, who get certain benefits from the existing state of things, likewise resist all proposals that tend to transfer civil authority to the hands of popular representatives. Such resistance is natural, however indefensible on grounds of justice. It is difficult to see how the leaders of the Indian political

movement of the day can show any tenderness to this practised British monopoly of civil power without betraying the interests of posterity, which they are bound to regard as a sacred trust. One of the few wise things that Lord Sydenham has said recently is that Indians have abundant opportunities for expression of opinion in the counsels of Government. No reforms which merely multiply such opportunities will answer the needs of the hour. Our European friends, who offer co-operation in a reasonable and moderate programme—and it is quite welcome—may have their own ideas. But they should understand clearly—and it needs frequent iteration—that the most vital part of the Congress-League scheme is the vesting of political power and responsibility for internal affairs in a legislature in which the popular representatives should be in a majority. Adequate and even liberal representation shall be given to all interests, certainly the European interest will be amply safeguarded; but the dominant voice in the future must be that of the natural leaders of the people.

BRITISH SUZERAINTY GUARANTEED

CL. OF NDLD CHARS

The Congress-League scheme provides ample guarantee for the maintenance of British suzerainty in India. The Indian legislature is to have no control over the army and the navy or over foreign relations. War and peace and the conclusion of treaties are left to the imperial authorities. A clause in the scheme expressly states that "no resolution of the imperial legislative council shall be binding on the Governor-General in council in res-

pect of military charges for the defence of the country." The prerogatives of the British Crown are untouched. The posts of the highest power and distinction will still remain in the gift of the authorities in England. The sovereignty of King and Parliament in legislation is intact. It is true that the Indian legislative council will under the scheme make laws governing the constitution and character of the civil services, and the Government of India will control all the appointments thereto. But as vested interests are to be scrupulously preserved, the personnel of these services, even in the highly improbable contingency of drastic changes coming into early operation, will remain largely European for another generation. The regard for vested interests in the region of commerce and industries will be no less tender. The alarm of British capitalists that self-government in India will imperil their money and destroy the railways and factories is a grotesque survival of primitive tribal distrust. Let them understand that Indians have a keen sense of national honour, and if they were to have far more independence than the Congress-League scheme seeks, they would scorn to repudiate the lawful claims of any community or decree a general spoliation of the property of foreigners. In any case it is a ridiculous idea that western people, who have long practised the arts of economic and political aggression in the east and know how to exact reprisals and indemnities out of proportion to the damages suffered, will be without the means of making good their just claims in their own dependency, held down by an army under their undivided control. Another fear that has been expressed is that the transfer of power suggested

by the Congress-League scheme would be followed by a revival of the anarchy and disorder of pre-British days, when, if we are to believe the common text-books of history in our schools, thuggee and dacoity were regular and profitable occupations, journeys were perilous, and property and even life were insecure. Now, there is abundant testimony to the fact that, beneath the disturbances and movements of warrior bands of that time, the life of the common people ran smooth in the usual channels, and the operations of agriculture and trade were seldom brought to a standstill. Peace and civil order are not conceptions new to India; and in the hundred odd years of British rule they have struck their roots deep in the institutions of the country and the disposition and character of the people. It may suit opponents of the political advance of Indians to contend in the heat of debate that Indians left to themselves cannot, by reason of their natural slackness, tenderness of disposition or fatalistic views of life, maintain a strong executive government. This theory, though it may be pleasing to the vanity of those that now wield civil power, is not borne out by the facts of every-day administration or the annals of our courts. It is an easy but none the less fallacious reasoning which infers, from the earnestness with which pleaders defend the accused in criminal cases or the vigour with which editors expose the vagaries of district officials, that the community in general cannot appreciate a strong and impartial rule. Besides, if there is a breaking up of laws and the stern arm of justice is paralysed, the resulting disaster will not be confined to the property and interests of European merchants; it will fall with crushing weight on the people themselves, whose

losses, moral and material, will outweigh beyond all measure those of the foreign capitalists who now loudly bewail their anticipated ruin. Such fears it is impossible to believe European traders in India really entertain; what apparently they are concerned about is the gradual diminution and final loss of the facilities that the political ascendancy of their race gives them for exploiting the economic resources of India. The expanding national life of the country will doubtless tend in the direction of breaking all monopoly and undue advantage and placing the children of the soil on a footing of perfect equality with all classes of His Majesty's subjects who make India their home. If this consummation be unwelcome to any community, there is no helping it. Opposition coming from them is dictated by selfish greed and deserves no consideration.

MUST MILITARY AND CIVIL POWER GO TOGETHER ?

By an ingenious turn of reasoning our willingness to leave the direction of military and naval affairs in the hands of the executive, which should be accepted as conclusive proof of our loyalty and our desire to remain within the empire, is used against our cause. Freedom must be justified of her children, says one critic, which is perilously near to saying that freedom will be given only to those who can fight for it. Do you expect us, asks another, to defend your country from her enemies, while you exclude us from all administration? A third thinks that we have no business to lean on the British power for protection against the risks of our own policy. We ask whether the self-governing Dominions do not look to the British navy for protection, and whether the right of civil ad-

ministration is exacted from them as the price of it. If the answer be that the people of the Dominions are the same flesh and blood as the British, it is a confession that non-British races in the empire must be content with the status of perpetual subordination. If, on the other hand, fitness and character are to be the criteria, a study of past history or present conditions fails to justify any discrimination. If Indians are to-day unable to defend themselves, whose fault is it? The disability has been imposed upon us, and one of the great acts of restitution that the British have to perform is to enable Indians, as expeditiously as may be, to defend their hearths and homes against foreign aggression in the international complications of the future. There is no reason why the grant of internal autonomy to the people of India should wait on the process of their military equipment. The pace of the former need not be regulated by that of the latter. The better mind of England, which has accepted responsible government as the political goal of India, will refuse to assent to the doctrine that India should be left a prey to the foreign aggressor, unless she paid for her defence, not only by providing ample guarantees, as already mentioned, for the maintenance of British suzerainty, but by continued renunciation of her right to self-rule and self-realisation.

GOVERNMENT OF INDIA MUST BE LIBERALISED TOO

The authors of the scheme have made little difference between the Goverment of India and the Governments of the provinces in respect of the composition and relative position of the executive and the legislature. In the central as well as the local Governments, they have pro-

vided for a four-fifths majority of elected members in the legislative council and endeavoured in various ways to secure its ascendency over the executive Government. In so doing they have gone beyond the limit laid down by Lord Morley, who made out the necessity of an official majority in the imperial legislative council in the following passage of his Reform Despatch of 1908 to the India Government: "I must therefore regard it as essential that your Excellency's council, in its legislative as well as its executive character, should continue to be so constituted as to ensure its constant and uninterrupted power to fulfil the constitutional obligations that it owes, and must always owe, to His Majesty's Government and to the Imperial Parliament." The same point was emphasised in 1911 by the Government of Lord Hardinge in the sentences that immediately preceded the oft-quoted promise of provincial autonomy: "The maintenance of British rule in India depends upon the ultimate supremacy of the Governor-General in council, and the Indian Councils Act of 1909 itself bears testimony to the impossibility of allowing matters of vital concern to be decided by a majority of non-official members in the imperial legislative council." The idea underlying this radical difference between the Government of India and the provincial Governments is that, as the responsibility for the welfare and advance of the people of India rests ultimately on the people of Great Britain, the policy that is to prevail in the internal administration of India must be the policy of the British executive. The recent announcement of policy made by the Secretary of State for India in the House of Commons expresses the same idea in the following words: "The British Gov-

erument and the Government of India, on whom the responsibility lies for the welfare and the advancement of the Indian peoples, must be the judges of the time and the measure of each advance (towards responsible government)." Opinion in India no longer acquiesces in this theory. It holds that the people of India through their representatives are quite fitted to bear this responsibility, and that, so far at least as internal affairs are concerned, the responsibility should be devolved on them. Provincial autonomy, though an important object, is no longer the highest object of Indian ambition. A substantial measure of internal freedom, allowing for the effective preservation of British paramountcy, is the first "definite step" which the advanced political school urges His Majesty's Government to take towards the realisation of India's political destiny, which has been recently defined authoritatively to be responsible government. Now freedom in internal matters requires that the determination of policy and the oversight of those that carry it out should vest in the duly elected representatives of the people, who should therefore be in a clear majority in the Indian legislative council. The experiment of provincial autonomy cannot be conducted under favourable conditions, if the proceedings of a democratic body, using the word in a very approximate sense, were to be reviewed by a bureaucratic body above. The ideals of the one are different from those of the other, and in some respects may even be sharply contrasted; and past experience gives no assurance that the reviewing authority in this case will have either the knowledge or the sympathy necessary for a just exercise of its function. Among those accustomed to the possess-

ion of irresponsible power, it is a common belief that to interpose a check on the advancing tide of democracy is to perform a great service to humanity in one's generation. The prospect before autonomous provincial Governments would be dismal indeed if their growth were to depend on the countenance and approval of an unreformed Government of India, sure of its own perfection and proof against generous enthusiasms. Nor is there anything in the nature of the subjects that will fall within the province of the Government of India, so intrinsically different from the nature of the subjects with which the local Governments will be concerned as to justify their administration by agencies differing not only in range but in kind. Omitting military matters and foreign relations, the Government of India will regulate such branches of administration as salt, customs, railways, the penal code, and currency and banking. Are these branches best dealt with by a bureaucratic form of government? If education may be entrusted to the leaders of the people, why should not the manufacture and sale of salt be entrusted also? In fact, if the immediate bearing of a department on the welfare of the people be a test of its fitness to be placed under the control of the representatives of the people, such questions as customs duties and the development of local industries come appropriately within the category. It follows therefore that the central Government, to which must be assigned not only all matters of imperial revenue and expenditure, but all those in regard to which uniform legislation for the whole of India is desirable and those relating to the administration of the country as a whole, must be dominated by the popular element to the same extent as the Governments of the provinces.

FOUR-FIFTHS ELECTIVE MAJORITY

The scheme asks that the Indian legislative council should consist of at least 150 members, that the legislative council of each major province of at least 125, and that of each minor province of from 50 to 75 members. In every case four-fifths of these members are to be elected, and the remaining one-fifth to be nominated by the Viceroy or the Governor, as the case may be. It may be taken for granted that the members of the executive council will be nominated, and perhaps also some secretaries to Government and the heads of departments. The nominated non-officials would very likely represent classes or interests who win no seats at the elections and may also include men of distinction or experience in business or administration. Mahomedans are to return through special electorates of their own one-third of the elected Indian members in the Indian legislative councils and in the provincial legislative councils a proportion varying from one-half in the Punjab to 15 per cent. in Madras and the Central Provinces. Except in the cases of Bengal and the Punjab, this proportion is much in excess of the numerical proportion of the community to the population. The theoretical propriety of communal representation, with the added elements of separate electorates and excessive proportion, is a much debated question. Its necessity in the present conditions of the country is generally acknowledged, and our scheme pushes the principle a step further and provides for the adequate representation of important minorities by election. What these important minorities are must be determined for each province by its own peculiar conditions, while the mean-

ing of the word 'adequate' may give rise to much wrangling in certain cases. It is fortunate that in some provinces like Bengal and the United Provinces no non-Moslem minority has yet demanded separate representation. The Sikhs in the Punjab desire to be recognised for this purpose, though it is doubtful whether the community as a whole will support the demand, put forward by one of their leading men, of one-third of the strength of the local council while the community form only 12 per cent. of the population. In the Bombay Deccan the Lingayats, whom Mr. Gokhale specifically mentions by way of illustration in his scheme, have not been slow to claim separate treatment, while the 'depressed classes' also seek special consideration. Certain other classes like the Marathas, Malis, and Bhandaris, grouped together under the general name 'backward', have likewise advanced similar claims; but as they form a majority of the population they can hardly come under the description 'important minorities' mentioned in the Congress-League scheme. The same remark applies to the non-Brahman Hindus of Madras, whose numerical strength overwhelms that of the Brahmins. Indian Christians and Panthamas have raised their own voices in the southern presidency. In this unfortunate province a section of non-Brahmins have gone so far as to repudiate the Congress-League scheme on the ground that it would take them away from the protection of the impartial European ruler and place them once more under the heel of their original oppressors, the Brahmins. This repudiation is repudiated by a section of non-Brahmins, larger and more influential than the other, who have recently organised themselves for the purpose of

supporting the Congress-League scheme and at the same time demanding separate representation for their community. It is unusual to make special arrangements for the protection of a minute and overwhelming majority, but it is also unusual for a numerically small caste to enjoy a decisive ascendancy over most other classes in culture and social and political influence. The framers of the Congress-League scheme failed to foresee this contingency. But some way must be found of overcoming it. So far the proposals that have been made for the purpose aim at securing a minimum representation for the majority and on a special electorate. It would seem easier and more natural to fix a maximum for the Brahman minority. After setting apart the fifteen places due to Moslems, some seats for Indian Christians, some for Panthamas, and some for special interests, namely, the university, commerce, trade and banking and the large corporations of Madras, Mysore and Trichinopoly, the balance of seats may be distributed among electorates to be constituted on a territorial basis. If, instead of making a district the unit electorate, we group two or three districts together and make such a group the unit electorate, it should be practicable to assign four or five members to each group and then restrict the Brahman to one seat in the case of four-member groups and two seats in the case of larger groups, the voting, however, to be not by non-Brahmans and Brahmins separately, but by all the qualified voters placed in one common list. Subject to such a limitation, the territorial election may be so arranged, if the plan be generally approved, as to yield proportional representation on a transferable vote. (And this may be adopted all over India.) On this

proposal the maximum representation that the Brahman can get will be somewhat over 25 per cent. of the territorial representation while it is possible that he wins no seat in some constituencies and fails in the aggregate to reach 25 per cent. It would be a meritorious act of self-sacrifice on the part of the Brahman to agree to this or a similar plan before the time comes for Madras representatives to meet the Secretary of State and the Viceroy, and it would be a proud and happy day for him and for the other parties concerned, when, after about ten or fifteen years, the non-Brahmans of Madras resolve that this restriction on the Brahman be removed as they no longer fear and distrust him. This will be the only effective way of reassuring those who have a genuine apprehension that the Congress-League scheme would give too much power to the Brahmans and silencing those others who exploit this apprehension for their own purposes and shed hypocritical tears for the fate of the long-

lingering masses of the country under the tyranny of the narrowest and most selfish oligarchy in the world.

Lord Islington in his Oxford address expressed the view that, while it was necessary to give to legislative councils power and responsibility, there was no need to enlarge them. This is an untenable view. In an earlier part of the address he had himself stated that the elected members should be "properly representative of the various classes of the Indian society." When it is remembered that not only various classes but various interests also require to be adequately represented and that the authorities would be unwilling to dispense with a certain number of officials, it is easy to see that the number fifty is too small to allow of all the requirements

being fulfilled. His Lordship objects to the franchise being territorial as it will result in the return of members belonging to one and the same class. It is to avoid this evil that the framers of the Congress-League scheme have adopted the principle of communal representation ; but since the root-idea of the reforms is to allow scope for the popular will to prevail, the representation of communities on the council cannot be the sole or even the principal aim to be kept in view. What may be called the general body of the people must be given the bulk of the representation ; in other words, the territorial representatives should be in a substantial majority. It should be remembered that the scheme provides both at the centre and in the provinces for a single house of legislature. Care has therefore to be taken that, while the composition of the house includes the elements which are distinctive of either chamber in a bi-cameral parliament, the popular element, which stands for the general population, may have it in its power to determine policies with a fair degree of uniformity and continuity. The executive councillors and the other nominees of Government, assisted now and again by the representatives of the various interests, will discharge the functions of a second chamber; correcting, criticising and retarding, if not altogether hindering, measures bearing the marks of prejudice, ignorance and haste commonly associated with the popular element. The official nominees and those that associate with them from time to time require for this reason to be of sufficient importance in the council, by their number and quality, to influence its proceedings, but they should not have it in their power as a rule to outvote or paralyse the territorial element.

FULL POWER OF LEGISLATION

The legislatures, having substantial majorities of elected territorial representatives, are to enjoy, within the spheres marked out for them, full power of legislation. The Indian legislative council cannot deal with matters relating to the army or the navy, the declaration of war or the making of treaties ; these will be the exclusive province of the Viceroy and his executive. Clause 12 under the heading 'Imperial Legislative Council' enumerates the classes of subjects on which it has exclusive power of legislating : they are : "(a) matters in regard to which uniform legislation for the whole of India is desirable ; (b) provincial legislation in so far as it may affect inter-provincial fiscal relations ; (c) questions affecting purely imperial revenue, excepting tributes from Indian States ; (d) questions affecting imperial expenditure, except that no resolution of the imperial legislative council shall be binding on the Governor-General in council in respect of military charges for the defence of the country ; (e) the right of revising Indian tariffs and customs duties, of imposing, altering or removing any tax or cess, and granting any aids or bounties to any or all deserving and nascent industries of the country ; (f) resolutions on all matters relating to the administration of the country as a whole." The imperial legislature will also have concurrent power with the local legislatures to deal with all matters pertaining to the provinces. Laws passed by this council may be vetoed by the Governor-General and disallowed by the Crown within one year. There is a remarkable limitation placed on the legislation both of the imperial and the provincial councils. It is to the effect that the

Hindu or the Mahomedan members of any council may by a three-fourths majority object to the enactment of any bill or any clause thereof, introduced by a non-official member, and the objection shall prevail. Provincial legislation is subject to the veto of the Governor and of the Governor-General and to disallowance by the Crown in one year.

Reference may be made at this point to Lord Islington's conception of the future of reconstructed India as resembling the Australian Commonwealth. Of course we have to think of the Governments as wholes, the executive and the legislative branches together. In Australia the component States existed in complete independence for a long time and then by common agreement federated together into one Commonwealth. Anxious that their original independence should suffer no more diminution than was absolutely necessary, they stipulated that the Commonwealth should have only certain specified powers, the residuary functions inhering in them as before. In India, on the contrary, according to both theory and practice, the provincial Governments have no independent constitutional status and are merely the agents of the Government of India. In the natural course of devolution, the former will get only such powers as are transferred to them, and the residuary powers will remain with the central authority. Our Congress-League scheme expressly lays down this proposition : "The Government of India shall not ordinarily interfere in the local affairs of a province, and powers not specifically given to a provincial Government, shall be deemed to be vested in the former." Moreover, even in respect of the powers so devolved, the imperial Government is under

al supervision

the scheme to retain the right of 'general governments,' and superintendence over the provincial (be limited to though its interference should ordinarily incidence. The such general supervision and superintendence has thus no analogy of the Australian Commonwealth in Canada exact application here. The arrangement the Dominion affords a more apt illustration. There the provincial Government has no general control over the legislative Governments, but it has a veto over power is, tion of the provinces, whose law-making in India, re- as in the case of local Governments. On the other stricted to certain specified subjects. as the mutual hand, in another respect, not so important constitutional relation of the Governments from a popular im- stand-point, but not less impressive to than to the Canadian, India would prefer the Australia the provinces dian model. In Canada the heads of the Governor- are Lieutenant-Governors appointed by removable by General in council of the Dominion and have, on the the same authority. The Australian Statppointed direct contrary, decided to have Governors as wanting who by the Crown. Politicians were not cost less to the argued that Lieutenant-Governors would be local leaders; States and might be chosen from among the plan would but the view which prevailed was that and the States necessarily carry an inferiority of status if the American thought themselves, like the States of federal Govern- Union, co-ordinate in rank with the dian public op- ment. For a reason quite different, In Lieutenant-Gov- nion prefers Governors from abroad to Notwithstanding errors selected from the Civil Service. mes of eminence, a great record of work and many na

this service has, by its power-grasping, self-admiring and unprogressive character, evoked an unfriendly attitude on the part of the educated classes, who see a brighter chance for their political ambitions under rulers who have been trained in the free public life of constitutionally governed countries. That is why both the "Nineteen" Memorandum and the Congress-League scheme give prominence to the need of choosing statesmen outside India for the headship of the provinces. Leaders of opinion in India are fervent believers in the distinction emphasised by Dr. Woodrow Wilson in the dictum: "Political and administrative functions require different aptitudes, must be approached from very different points of view, and ought seldom to be united in the same persons." Lord Islington's plea on behalf of the Civil Service, backed as it is by the great authority of Lord Morley, is hardly likely to make any converts in this country.

POWER OF THE PURSE

The power of regulating policy and making laws will be illusory unless it be accompanied by the power to dispose of the material resources of the State. The importance of the power of the purse is a commonplace in the history of popularly governed countries. It is true that this power has been of inestimable help to the representatives of the people in establishing their predominance in government, but the truth is of equal importance that these representatives can make no practical use of the powers that they may obtain from time to time unless they can also determine the distribution of the burdens of the State and apportion the

revenue among the various objects of administration. Land revenue, second to none in India among the sources of taxation, and its periodical increase ought no longer to be matters entirely within the competence of the executive. Not that the legislature has now the decisive voice either in raising the other taxes or applying them; but the law, as it stands to-day, does not impose on the Government even the trouble of making out a case before the legislative council for enhancing the State demand on land. The extremely contracted sphere within which the finance committees work in the various provinces, the stringency of the rules governing the examination of the financial statement, the practical impossibility of the so-called non-official majority to carry any resolutions to which the Government may be opposed, and the power that the Government have of refusing to abide by any resolutions which may be carried (till now no resolution on the budget has been so carried)—these have rendered the discussion of the budget a solemn waste of time and vexation of spirit. Chronic dissatisfaction exists with regard to the impene-
cious condition of local bodies, the unequal terms on which railways and irrigation compete for a share of the resources of the State, the undeveloped condition of education and sanitation, the scantiness of medical relief to the millions of the rural population and several other features of our financial system. No remedies will meet the situation which have not the cordial support of those to whom the people's confidence is given by means of the ballot.

The imposition of free trade on India, which has exposed indigenous industries to ruinous outside com-

petition, has long been a standing grievance with politicians of all shades of opinion in India. Be it said to the credit of European administrators in India that they have generally withheld the sacrifice of Indian revenue or the interests of Indian industries to the interested clamour of powerful parties in England, and their championship never shone brighter than when during this year a duty was imposed on imported cotton goods and this first measure of fiscal freedom to India was defended with much eloquence and spirit in the British parliament. The Viceroy spoke brave words and touched the heart of India when he declared recently in the legislative council that, if this cotton duty were threatened after the war, the people of India might rest assured that the Government of India would offer the most strenuous opposition. India rests confident in the hope that this measure of justice would be followed by others of a similar nature and that she would in course of time acquire fiscal independence.

The Congress-League scheme also lays down certain definite principles for defining the financial relations of the Government of India with the provincial Governments. The idea underlying the proposal seems to be that the revenues of the country except under certain heads belong as of right to local administrations, which should thus be left free, in co-operation with and under the control of their legislatures, to advance the welfare of the populations entrusted to them. What are now known as divided heads are to be transferred entirely to the provinces, and the Government of India should make good the resulting deficiencies by contributions levied from local

amounts of which may be revised whenever any extraordinary and unforeseen contingency should arise. This arrangement would amount to a complete reversal of the existing relations between the central and local authorities. The finances of India, though raised in the provinces and by the administrations of these provinces, are accounted the constitutional possession of the Government of India. They distribute the money among the various Governments according to principles settled by them, which are known as 'Permanent Settlements.' Each local Government is bound, in spending the amount allotted to it, by various bodies of minute rules; numerous returns have likewise to be submitted to the imperial Government; and as the budgets of the various provinces have to be worked into the imperial budget, the scope of provincial finance as a separate or independent system is extremely narrow. Complaints on this head have become very loud of late years from local Governments and their subjects combined. The Government of India, restrained only by the criticisms of the press and the cries of local Governments whenever they were over-squeezed, were naturally more solicitous of the departments and the services in which they were directly interested than of those in which the provincial Governments were interested, and at successive revisions of provincial contracts even resumed considerable sums. This state of things, being highly unfavourable to the development of the provinces in directions immediately concerned with the welfare and prosperity of the people, has produced a reaction in the public mind which is reflected in the proposals of the Congress-League scheme. Critics may contend with some justification that these proposals

go to the other extreme, leaving the Government of India in a condition of precarious dependence and without the means of rendering any financial assistance to the more needy and less advanced parts of the country, which cannot expect much consideration from the more fortunate provincial administrations. Indeed, the scheme is open to a slight suspicion of incongruity in giving the central Government all the residuary powers of the constitution and a general power of superintendence and supervision over provincial Governments, while assigning to it a somewhat inferior position in financial matters and making it appear in the light of a venerable dependent entitled to maintenance. The analogy of the German system with its *metricular* contributions is somewhat misleading, because in Germany there was a real federation of independent States which surrendered a part of their freedom and their revenues to the newly created federal Government. A compromise between these extremes may be necessary, but it is likely to offend against logic or the natural division of functions between the central and local Governments. The Congress-League scheme has the merit of giving to the central Government all those sources of revenue which are not really of a local character though they may be raised in particular localities, and the responsibility of external defence which is of a like nature. This subject affords a good illustration of the truth that it is easier to criticise than to improve. As soon as we touch a source of revenue like land tax or income tax, we are overpowered by the thought that it is much better left to the administration of each local Government and its legislature. To suggest a division of any such head is to suggest a division of responsibility and a fruitful

cause of strife and controversy. Are we not finally thrown back on the device of contributions from local Governments? Great difficulty will be felt in determining the agency by which these contributions should be fixed and altered from time to time, and the basis on which they should be fixed, whether population or total revenue, or a combination of both. As regards the agency, Mr. Gokhale's suggestion before the Decentralization Commission was that it should be a conference of the revenue members of the different provinces sitting every five or ten years and presided over by the finance member of the Government of India, the Viceroy having the power, in sudden and extraordinary emergencies, of altering the amounts of these contributions as he might deem necessary.

A word of caution may here be said to indiscreet advocates of self-government. These are apt to recommend it on the ground of economy, resulting finally in reduction of taxes. The experience of popular government elsewhere gives no ground for this hope. Vested interests will render retrenchment extremely difficult, if not impossible. Our obligations under the head of the country's defence will increase by leaps and bounds. The utmost vigilance and energy of our popular representatives will be fully taxed to resist the further encroachments of the organised services on the resources of the State, if they can accomplish even so much. Education, sanitation, industries are departments that have been long starved and will clamour for a chance under democracy. The Gladstonian doctrine that "the constitutional duty of a legislative chamber is not to augment but to decrease expenditure," is apt to

be forgotten by those who depend on votes and will be under the constant temptation of adding to government posts and the possibility of patronage. In his famous book on France Bodley satires the futile attempts at retrenchment frequently made in that country. Says he: "They call to mind those radical schemes for reorganising our public offices at Whitehall, which new ministers with ingenuous zeal sometimes promote. Three superfluous clerks are made to retire on full pay: three other clerks have their salaries raised to reward their increased labours, and the next year three new clerks are introduced to complete the old establishment." The same writer in another passage thus describes the enormous multiplication of offices in the modern popular régime. The evil is aggravated in France by the inordinate importance which a deputy acquires in his constituency. "For, as we shall see, each member of Parliament, not hostile to the Government, thus becomes a wholesale dispenser of places, controlling the administrative and fiscal services in his constituency, and supervising the [promotion of the judges. Moreover, to augment his popularity a legislator likes to leave as many posts as possible to bestow. The tendency of representative government is, therefore, to effect not economy, but the multiplication of State-paid offices, raising the finances of the country, and turning the industrious French people into a nation of needy place-hunters. Under previous parliamentary regimes this evil was not patent, as the electorate was extremely limited, and if every voter in France had been given a post under Louis Philippe the bureaucracy would not have been unduly swollen. Whereas with ten million constituents encou-

raged to regard their members in this light, the rich resources of the land are strained, and citizens are taken away from callings which increase the national riches, are deterred from colonial enterprise, and are generally diverted from ambitious pursuits which elevate the standard of a nation."

THE LEGISLATURE AND THE EXECUTIVE

The next topic in order of importance is the subordination of the executive to the legislature and the means by which the scheme endeavours to secure it. Before dealing with it, it is necessary to describe the executive briefly. The Viceroy or the Governor is the head, not merely in name but in reality. He is to be assisted by an executive council to be composed, half of Europeans, half of Indians. The number is not fixed, but the general idea is that it should be six. Members of the Indian Civil Service or any other service should not ordinarily be appointed to these councils, the idea being, as Woodrow Wilson's dictum has it, that men who have for years administered departmental details cannot exhibit the large spirit of statesmanship necessary in those who have to shape and guide policy. The holders of portfolios will be assisted in the discharge of their duties by the experience of the permanent heads of the departments, as in England. Naturally civilian officers resent this proposal bitterly, but it is of capital importance and cannot be surrendered. The term of office of executive councillors and of the heads of Governments is to be five years, and that is the term also of the legislative councils.

The conception of the relations between the legislative council and the executive council which is embodied in the Congress-League scheme is something between the English and American conceptions, avoiding the extreme points of both. The most conspicuous feature of the English constitution, to which almost superstitious reverence is paid in Great Britain and the self-governing Dominions, is the responsibility of the ministry to the House of Commons ; i. e., its obligation, according to one of the unwritten conventions of the constitution, to resign office on an adverse vote of that house on any subject of importance, unless they persuade the King to dissolve the house. The Indian executive will not be under such an obligation. Its tenure of office need not depend on its retaining the confidence of the legislative council. In America even a direct vote of censure cannot remove the President from office, and as the other principal officers of State derive from him, they are equally untouched by the proceedings of Congress. In fact the separation between the executive and the legislature is complete in the United States, it having been considered necessary to maintain the balance between the two. Neither the President nor his principal officers belong to either house of Congress. Thus they cannot defend themselves against hostile criticism in Congress nor take steps to get such laws passed as they desire, while Congress for its part has to legislate without the experience and guidance of the executive. The Congress-League scheme seeks to avoid this evil by placing a considerable power of nomination to the legislative council in the hands of the Viceroy and Governors.

It is expected that they will put in the executive councillors and perhaps also a few other officials. Their superior knowledge and experience will be available to the legislature, and in fact they will be in a position not only to defend their executive acts but to frame legislative proposals and conduct them in the council.

It is curious how different are the forecasts that people make about the actual working of the scheme. Those who study its provisions from the standpoint of the executive apprehend that it would be at the mercy of the legislature, harassed by ignorant criticism and compelled, as Lord Islington put it, to carry out laws and resolutions which it did not approve. Indian publicists, on the other hand, obsessed by the cunning with which the constituencies in the present regime have been so designed as to render the non-official majority a mere name and rules of debate have been so framed as to render the budget discussion a mere mockery, take it as a foregone conclusion that, if the executive were not to be under the constant fear of being turned out of office, it would defy the legislature and set its decisions at naught. On both sides occasional deadlocks are anticipated, and the scheme is criticised for not providing a means of getting over them, as the authors of the constitutions of the Australian Commonwealth and the South African Union have had the forethought to do. Let us now look at the provisions in detail. First those which tend in favour of the legislature. They are eight:—

- i. The term of office of the head of the Government and also of the executive councillors is limi-

ted to five years. If it is to be tyranny, it will at least be short-lived.

ii. Members of the legislative council are to have the power of questioning the executive as to their acts, in the same way as in the English Parliament, other members coming to the aid of the questioner in asking supplementary questions. Holders of portfolios should certainly have the liberty of refusing to disclose information in the public interest; but if a minister habitually evaded questions without sufficient cause, he would soon be found out and visited with general displeasure.

iii. On a requisition by one-eighth of the members of the legislative council, the head of the Government will be bound to summon a meeting of the council. This will prevent undue intervals during which the executive might be glad to escape the vigilance of the legislature. Present-day practice in India has apparently suggested the need of this provision.

iv. As in England, it would be open under the scheme for a member to call attention to "a definite matter of urgent public importance" and raise a debate on it, if he is supported by one-eighth of the members present.

v. The legislative councils themselves will have the power of making and altering the rules under which resolutions on matters of public interest may be discussed. It is somewhat anomalous that at present the councils have some voice as to the rules for the conduct of legislation, but none as to the rules governing interpellation and the discussion of resolutions or of the budget.

fenceless against this array of weapons in the hands of the legislature. In truth, however, their superior organization and discipline and the expert knowledge and experience which they command constitute a great advantage in a continuous contest with a loose body of men elected by different constituencies and perhaps divided by caste and other prejudices. The personal merits of these legislators are apt to vary greatly, and it will be long before they learn to act together, evolve definite policies and assert themselves in council. Moreover, the scheme lays down that a money bill may be introduced only by the Government. Private members, who desire to distinguish themselves or please their constituencies, may possibly flood the council with all sorts of legislative proposals for a time, but soon the requirements of business will put the initiative to a large extent in the hands of the executive, and ambitious members will have to seek their opportunities in criticism and amendment of Government measures. Judicious bestowal of honours and titles, careful distribution of patronage, the discriminating sanction of schemes involving financial outlay in which certain members may be interested, are means of oiling the legislative machinery, which may not stand the most exacting ethical tests but will be found of much practical value. But the principal weapon in the armoury of the executive is the veto, which may be exercised once in the case of resolutions and without any such restriction in the case of legislation. If one desires to conjure up difficult situations, one may see in the light-hearted and frequent use of the veto a fruitful source of misunderstanding ; but the Congress-League

scheme gives the veto in the case of resolutions to the Governor-General in council and to the Governor in council and not to the Governor-General and the Governor acting singly, and that is a guarantee that the veto will not be exercised unless there is due cause. In respect of legislation a tactful head of Government will generally act under the advice of his executive council, and he will not be slow to discover that he need not veto every law which does not command his entire approval, but that he is bound to prevent laws coming into operation of which he feels reasonably certain that the consequences will be disastrous. After all it is good to let the people now and then experience the evil effects of their ignorance and haste, especially when they have failed to profit by the counsel and warning of the executive while the laws in question were being discussed. It may minimise friction to give the head of a Government power to return a bill to the council with the remark that he might be compelled to veto it unless it were modified in certain defined particulars. Another power with which it may be found necessary to arm the executive is to dissolve the legislature when there is reason to believe that it does not represent the views of the electors or that time gained may bring better counsels, if not better councillors. In this case a wise executive will submit if the council endorses the decision of its predecessor. In case a council is dissolved before its time, should the nominated members also go out of office? It would seem that they should, as one of the considerations to be borne in mind by the nominating authority is to supply any deficiencies which the results of election may disclose. In normal

conditions one may confidently look forward in India to the executive and legislature working smoothly together. In spite of what ill-conditioned critics have said of Indian character, the prediction may be safely ventured that the bulk of our legislators will be practical-minded and willing to listen to reason and well-meant advice. Judging from the behaviour of Indian leaders in the trying conditions of the present legislative councils, their successors will stand a lot of provocation before they push differences of view to the breaking point or test the edge of the constitutional weapons in their hands. The executive will find that faith and patience will receive generous response from the other side. Misgivings are felt with regard to the power of voting the budget which the scheme proposes to give to the various legislative councils. What would happen if in any year a council should refuse to pass the budget? To adapt the language of Lord Bryce in his treatise on 'The American Commonwealth,' to withhold the ordinary supplies and thereby stop the machine of Government would injure the country and themselves far more than the executive; they would, to use a common expression, be cutting off their nose to spite their face. But political feeling, when it runs high, may make a great change in men's natures, and it is conceivable that an angry legislature may decline to pass the budget in time. In Japan the difficulty is got over by giving the executive power to carry out the previous year's budget. To provide for a deadlock is to invite a deadlock. The executive, feeling that it can fall back on the previous year's budget, may defy the legislature and refuse to negotiate with it in a rea-

sonable spirit. If such an expedient be enacted as a part of the law, it may be necessary to make the legislature even with the executive by providing further that it should not be resorted to in two succeeding years. A year's interval may have its own effect in softening differences and enabling the two branches of Government to come to terms with each other. We are advised to provide a machinery for overcoming a deadlock, because the constitutions of the Australian Commonwealth and the South African Union have done so. But the deadlock contemplated in those parts of the British empire is between the two houses of legislature, which are of co-ordinate rank and must concur for legislation to have effect. In India the Congress-League scheme provides only for one house, and as the executive is meant to be subordinate to the legislature, no deadlock can arise. Let the executive advise, ex-postulate, warn ; let it dissolve the legislature ; let it gain time by working the last year's budget; but finally it must bend to the will of the people if it cannot convince them. Having enjoyed absolute supremacy so long, it may be difficult for the Indian executive to reconcile itself to take second place. But no executive in any constitutionally governed country pretends to override the legislature ; and the attempt of political reformers in India is to assimilate the well-established principles of government in such countries. If an executive, to take an instance, felt that a resolution passed by the legislative council for a second time was such that it could not accept the responsibility for carrying it out, it would be compelled to resign; for if it held on and refused to carry out the resolution, it would be dis-

obeying the law of the land and might provoke civil commotion.

RESPONSIBLE GOVERNMENT

Although in extraordinary circumstances like those imagined above the executive Government may voluntarily resign, the Congress-League scheme does not contemplate the resignation of a defeated ministry and its replacement by a new one as the normal feature of government; in other words, there will be no responsible government, as the expression is understood in constitutions following the British model. No Government in India need dread an adverse vote or a succession of adverse votes as a sentence of death. Constitution-writers are agreed that a system of ins and outs can work beneficially only where there are two large and well-defined parties in the legislature and only two such parties. Where this condition is wanting, the members of the legislature form little groups or cliques, with no principles to keep them together, but only temporary and perhaps selfish ends. No Government can in such circumstances be stable; it must have recourse to compromises and makeshifts; and its principal anxiety will be how to live rather than how to govern. Every Government that can be formed must include members from most of the important groups; a change therefore may introduce new persons, but not necessarily new policies or views of administration. One of the greatest evils that can befall a country is a weak executive. Those that would take a hand in shaping the fortunes of India must pause seriously be-

fore they adopt a system where there is a general race for office, and a Government, with many rivals watching to trip it, can only live by making concessions and compromises at every turn and by not putting its hand to anything big or important. Maybe in course of time we shall evolve two opposite schools of political thought which may seek to shape governmental action by organising themselves into two permanent parties. Then elections may be fought on issues involving political principles or programmes, and it may be determined with some approach to accuracy which of the contending parties commands the majority of opinion in the country and is therefore entitled to form a cabinet. It will be time enough then to think of the parliamentary system. It has not been an unmixed good outside Great Britain; even in Great Britain it has seen its best days, and among thoughtful observers the doubt is seriously felt whether after this war it will regain its original hold on politics. The newly-formed National Party in England, of which it would be rash to judge the future by its recent failure at a bye-election, has the following paragraph in its prospectus: "For years past the old party system has been nothing better than an organised mockery of the true spirit of the nation. If we are to win victory in the war—and after—we must free ourselves somehow or other from the clutches of this octopus. The future of the commonwealth of British nations depends upon the honesty and capacity of our public men. Politics is a matter of national life and death. Should it continue to be played as a game of party interests and personal ambition, served by two machines which are kept in

funds by the sale of honours, the end can only be disaster." In a recent book called the 'Elements of Reconstruction' and marked by much originality and vigour of thought, the same idea is hit off in a striking phrase, 'that persistent tendency to a bi-lateral system of conflict about false issues which is denounced as the party system,' and Lord Milner in his introduction to the book speaks of it as 'now happily in abeyance, and never, let us hope, to be revived in its old insincerity.' Burgess, whose keen analysis is hardly surpassed, has some weighty remarks on this subject which, though long, may here be quoted without apology :

" What, then, are the conditions which require the political responsibility of the ministry to the legislature, or the popular branch thereof, or which make this relation advantageous ? We have now two distinct questions which require distinct answers. I can conceive of nothing *requiring* this relation except the permanent incapacity of the executive head, or irrational persistence on his part in an unpopular policy, or such evidence of a treacherous disposition as to make it impossible that he shall be trusted. On the other hand, ministerial responsibility to the legislature will be *advantageous* when the electorate and the legislature are of so high character intellectually and morally as to be practically incapable of forming an erroneous opinion or of doing an unjust thing. The checks and balances of double or treble deliberation by independent bodies will then be no longer necessary, will be rather hurtful than necessary. The natural age of compromise will have been passed. Until something like this condition shall arrive, however, the responsibi-

lity of the ministry to the legislature for Government policy tends to the production of crude measures, and, in general, makes government radical. I do not think that parliamentary government stands in such high favour with political scientists as it did a decade or more ago. Based upon the narrow English electorate of twenty-five years ago, its working seemed to vindicate most thoroughly its principle, but the recent great extension of that electorate has revealed dangers hardly suspected before, and has shaken the faith (once orthodox) in its perfection and in its adaptability to every condition of political society. I have no hesitation in saying that to me England, as well as France, now appears to need a greater independence of the executive power over against the legislature."

The irresponsibility of the executive, which the leaders of political thought in India have adopted with a sure instinct for what is safe and suitable in the present condition of their country, is not without a parallel in the west. Omitting Germany, which is not reckoned among popular governments, there are the United States and Switzerland, in both of which freedom dwells in some of her most lovely forms. The American example is somewhat complicated by the executive being not only irremovable by Congress, but unconnected with it constitutionally except for the President's qualified veto. This latter feature is generally regarded as a weakness, which would lead to very untoward results were it not for the natural good sense of the Americans, of whom it has been remarked that they can work with advantage the worst constitution in the world. The analogy of Switzerland is nearer. The executive there

are elected by the legislature for a period of three years. They cannot vote in the legislature, but may attend either house and take active part in its proceedings, both initiating and criticising measures of legislation. The results are pronounced to be excellent, the executive being regarded as the servants not as the masters of the legislature. Yet this subordinate position does not deprive them of influence or prestige ; the legislature trusts them entirely and re-elects some members frequently. Prof. Dicey observes that although its irremovability confers on it a certain measure of independence, it loyally carries out the policy of the legislature. " Its dependence is the source of its strength. It does not come into conflict with the Assembly ; it therefore is a permanent body which carries on, and carries on with marked success, the administration of public affairs." The defect in the Swiss system is that, as there is no well-organised efficient civil service, the members of the executive are themselves the heads of departments and overwhelmed with details of administration. In India the existence of a first-class civil service would keep members of the executive council free for parliamentary duties.

RESPONSIBLE GOVERNMENT IN COMPARTMENTS

While there are opponents of the scheme who denounce it as wholly evil and likely to land the country in disaster, there are others who see that substantial reforms are inevitable, but would like them to assume an experimental form, so that Indian political leaders may prove their fitness to manage popular institutions step by step. A proposal has been put

forward, the main feature of which is to administer a few selected departments by means of a cabinet on the English plan, i. e., chosen for their ability to command a majority in the legislative council and liable to be replaced by another cabinet as soon as the majority turned against them. The Viceroy or the Governor is to be in respect of this cabinet like the King in England, choosing only the Premier and always accepting the advice of the responsible ministers. The rest of the government is to be carried on as under the present regime. It may be readily acknowledged that this proposal is made from a genuine desire to afford a school of probation for the educated classes of India. It follows that the departments chosen to begin with must be comparatively unimportant, so that, even if they were mismanaged, the harm to the general administration might not be great. It is often true that a great reform has a better chance of success than a small one. This is the case in the region of self-government. Improvement in administration, to be real and lasting, would require increased expenditure. Where should the apprentice cabinet find the additional money? Whether it is to be by retrenchment in other departments or by fresh taxation, they will have to convince the general executive as well as the legislative council. If they failed, would it be just to send them out for what might have been the perversity of the general executive? As has been said in an earlier section, successful administration without control of finance is impossible. Then, why is this process of experiment and trial considered necessary in the case of Indians? There is not a single instance in the

wide world of a people having acquired autonomy by compartments. And who is to judge whether the experiment in a province has been successful and when the next step may be taken? One party is anxious to advance, the other party is anxious to hold it back. To suppose that the latter is like a teacher proud of his pupil and desirous to help him from stage to stage is to ignore the history of political reform in India and the tremendous difficulty that has attended every step of it. Again, where there are two compartments of government, one in which the exciting game of making and unmaking Governments is constantly going on and the other of the humdrum sort where the executive sits tight on the legislative body, it is apparent that the former will engross the attention of the public and draw to itself all the ambition and talent in the community. If the legislative council be identical for both the compartments, as it will probably be, would not the greater part of its functions, and by our supposition the more important part, suffer from neglect? Moreover, there is the head of the Government who has to be the real head of one compartment and the figure-head of the other. The habits, modes of thought and temperament that conduce to success in the two compartments are very different, perhaps incompatible. We know that one who is successful as the Governor of a crown colony will not necessarily be successful as the head of a self-governing Dominion. Is it reasonable to expect that the same man can play every day of his life parts so wholly unlike each other? It is to be hoped that this plan of compartmental autonomy, with its tempta-

tion of a higher form of government though in a greatly restricted sphere, will not prove more attractive to the Indian politician than the all-round and substantial self-government embodied in the Congress-League scheme, in which the executive is in a real manner subordinate to the legislative council, although not technically responsible to it. In the former case the first step is in itself of slight value unless it is followed by several other steps, each of which will probably be as difficult as this one. In the second case the first step is a big one and likely to bring great benefits to the people, even if it was not followed by other steps, and perhaps for that very reason these other steps will be found easy. Responsible government, as has been already pointed out, cannot be successful where there are not two and only two great political parties wedded to distinct principles. To foist it on India at present is no sign of political sagacity. Our scheme does not by any means preclude it, if in the future conditions favourable to it arise, and then it will be a natural and healthy development. An able writer on the "Political Development of Japan," Mr. Uyehara, tries to make out that the defects in the present working of the Japanese constitution can be remedied only by the adoption of the practice of full responsibility of the cabinet to the Diet. Ito himself tried something like it and failed. As it was more than a decade ago it is probable that conditions have ripened in the direction desired by Mr. Uyehara. The lesson for us in India is that it is best not to pluck the fruit before its time.

COMMITTEES OF THE LEGISLATURE

A few words may be said here of Lord Islington's suggestion that we may introduce into the governance of India the plan adopted in France of appointing committees of the legislative council for particular branches or departments of administration. The instancing of France was rather unfortunate, for the committees in that country, or commissions as they are called, are notorious failures. Some of these committees are dissolved every month and reconstituted; important ones have a longer tenure. All alike have acquired an inordinate amount of importance, overshadowing the executive on the one hand and the parent house on the other. They take charge of bills, whether introduced by Government or private members, and may report them or not at their pleasure. They often change them out of shape altogether. The budget commission especially takes great liberties with the proposals of the finance minister, who, it is said, cannot sometimes recognise them. In the United States too the interposition of committees has not been a blessing. The principal evil is that in the privacy of their proceedings the larger issues are burked, principles are forgotten, small expediencies prevail and petty bargains are struck. When the measures come up before the house, they excite little interest, and the public who are most concerned cannot know the grounds on which they were defended and opposed and receive little political education from a perusal of the debates. Bills in India are already referred to select committees. Power may be taken to appoint committees for considering any parti-

cular matter of importance. But standing committees in charge of special departments will tend to impair the responsibility of the executive who may be tempted to take shelter behind them. Lord Islington's plan is to enable members of the legislative council to acquire knowledge of administrative details by association with the executive, and thus to widen the circle of those from whom ministers may be chosen. This object will doubtless be attained in some measure by the appointment of committees. But there is grave risk of the legislative council weakening its control over the executive Government, owing to the dispersion of responsibility. Individual members of committees may also utilise their opportunities for acquiring undue importance or gaining private ends through the friendship of ministers.

SECRETARY OF STATE AND HIS COUNCIL

Almost from the start the Indian National Congress has been demanding the abolition of the council of the Secretary of State. The changes made by Lord Morley were not accepted in India as great improvements. The introduction of two (and now three) Indians has no doubt caused some mild satisfaction, but it is only a palliative. Even the recommendation of Sir William Wedderburn, whose name is cherished with the greatest affection by the educated classes, was not sufficient to induce the Indian National Congress or the public generally to welcome with a full heart the considerable reforms recently proposed by the Marquis of Crewe. The councils are looked upon as an expensive burden, inimical to the political advance of Indians and unable to fulfil the

principal object of its existence, namely, to guard the finances of the country from the extravagant tendencies of the Government of India or the Secretary of State. The condemnation is thorough, and whatever force it had in the past would be multiplied a hundredfold under the Congress-League scheme, which substitutes the control of a locally elected parliament for outside control so far as internal matters are concerned. There remain military matters and foreign relations, in respect of which the Army Council and the cabinet of Great Britain are the final arbiters, and the Secretary of State's council is of comparative unimportance. The case for its abolition is thus almost unanswerable.

The proposal to place the salary of the Secretary of State on the British estimates is equally old. It has been often brought to the notice of Parliament and supported with weighty arguments by influential politicians. The opposition of the India Office has prevailed every time, although backed by flimsy pleas.

The recommendation that the position of the Secretary of State himself should be approximated to that of the Secretary of State for the colonies is not absolute; it contains the saving clause 'as far as possible.' He will still have very important functions left to him. Besides control of military matters and foreign relations he has to conduct large financial transactions in England on behalf of the Government of India, make a great number of high appointments, and exercise final authority in the delicate matters connected with Native States. The desired approximation therefore to the colonial pattern can take place only gradually, and even when the pro-

cess has been pushed as far as it can be, there will still remain striking differences between the position of the Secretaries of State for India and the Colonies, and that is only as it should be.

THE FRANCHISE

The supremacy of the legislative councils and the elective majority therein, on which the Congress-League scheme lays so much emphasis, cannot be fully vindicated unless those who claim to represent the people are sent to the councils by electorates of respectable size and quality. The franchise question is for this reason of very great importance, and the scheme gives it due attention. It requires that the people should vote directly for the members, and that the qualifications of voters should be high enough to ensure a certain degree of intelligence and weight, and at the same time not so high as to make the electorates too small and select. In the case of the Indian legislative council the present indirect election by the non-official members of the provincial legislative councils is to be retained, while at the same time direct election by the people is provided for. It is defensible as a reflection of the idea that in the constitution of federal Governments the component parts should be represented as such. There is to be no more election to the provincial councils through the medium of urban and rural boards. It is hoped that candidates will in future seek the suffrages of their constituencies by expounding their plans and programmes of work, for the political instruction of the people can in this way be most quickly and efficaciously promoted. With this object electorates should be so formed as not

to be too large or heterogeneous. The present revenue districts are generally favoured as electoral units. Anyhow, it is necessary that the boundaries of electoral units should coincide with the boundaries of districts. The division of the country into areas having equal population is a luxury which need not be thought of for some time. If proportional representation be decided on, two or three districts may have to be occupied together. The franchise may have to be different in different provinces. It is desirable that it should be uniform in the same province. A possible exception is the case of what are known as the depressed classes, amongst whom, if it be decided to give them representation through separate electorates, it may be difficult to find men possessing even moderately high property and educational qualifications. The franchise should be of various forms; payment of income tax and of land tax above a certain figure, and house tax or rent above a certain limit, the receipt of a Government pension above a certain figure, the possession of an educational qualification like the degree of a university, the possession of a title conferred by Government, etc. Even with such a manifold and liberal franchise, the number of electors will not bear more than a small proportion to the total population of the country, but we must be content with very small beginnings; a wide extension of the suffrage is of comparatively recent growth even in advanced countries. The electorates will probably comprise from 5,000 to 15,000 voters, according as the unit is the district or a group of districts. With such numbers the arts of electioneering will come into vogue, and a machinery for settling disputes and

putting down corrupt practices may have to be created. The more simple and summary it is the better. The executive, whether in the upper or lower ranks, should not have anything to do with election inquiries, lest they be suspected of favouring those candidates from whom they expect support in the legislature. Cities having populations of a lakh and over may have a member each to itself. The scheme bars Mahomedans from participation in the general elections to the councils, but not from participation in those which are for the benefit of special interests like commerce or the university, for example. Such a bar will also apply in the case of all communities who may be allowed special electorates. There are many aristocratic-minded people who dread any extension of the franchise on a large scale, not only because it will deter men of fine sensibilities from the worries of canvassing, but also because it will tend to deterioration in the quality and character of the members who are returned to the council. In other countries the same fear was expressed every time the electorates were enlarged. In England there are many who bemoan the decay of the House of Commons. John Stuart Mill pointed out that it was not due to the reform bills but to what he called the 'progress of national prosperity,' which is a euphemism for the levelling influence of a general diffusion of wealth owing to the great advance of commerce. The highest theory in western countries takes it for granted that the electorates know their own interests best and should be allowed perfect freedom to choose any man they like. Qualifications are therefore not fixed for candidates. In India the practice may be

given up of requiring higher qualifications for candidates than for voters. Some would insist on residence within the electorate ; others on sufficient knowledge of English to follow intelligently the proceedings of the council. The local patriotism of voters and their desire to have effective representation may be trusted to bring about the results intended by prescribing these qualifications. Government should be deprived of the power they now have of debarring any political worker who has rendered himself disagreeable to them by declaring him "to be of such reputation and antecedents that his election would, in the opinion of the Governor in council (Governor-General in council), be contrary to the public interest."

An important matter that must not be lost sight of is that power should be given to each Government to alter the rules regarding the franchise, electorates, methods of voting, and so on, and likewise to redistribute the seats and electoral areas.

OBJECTIONS ANSWERED

President to be elected.—The provision that each legislative council should elect its own president has met with some opposition, but wherever representative institutions prevail, the head of the Government does not take part in the proceedings of the legislature. The scheme makes no provision for a premier or prime minister, so that the Governor-General or the Governor will be not only the titular but the real head of the executive. Experience has given overwhelming proof that, when he or the vice-president appointed by him conducts the proceedings, the selection and arrange-

ment of business, the distribution of time and the rulings are all made so as to exalt the executive at the expense of the private members. Besides, the great dignity of his position and the power and patronage that he wields have a somewhat oppressive effect on most members, and the discussion is apt to lose in freedom and reality. If the legislature is to do its duty fearlessly and on the highest level, it is necessary that its president should be placed in a position of perfect indifference to the favours or frowns of Government and be always ready to uphold its dignity and tradition and administer the rules with strict impartiality.

Indian Executive to be elected.—Strong and even contemptuous criticism has been levelled against the suggestion that the Indian half of the executive councils should be elected by the elected portion of the legislatures concerned. Lord Islington has said that it is quite unknown to British practice. The remark is too sweeping. His Lordship apparently forgets that in the new constitution of the Union of South Africa the 'administrators' of provincial Governments are assisted by executive councillors who are elected by the legislative councils. The labour party in Australia has now and then tried to get the executive council made elective, but in vain. It is well-known that the Swiss executive are elected, and their efficiency is unquestioned. The main ground of objection is that the head of a Government would find it difficult to work with a council, one half of whom derive from him and look up to him, while the other half will derive from the legislative council and look up to it. The idea that the executive should be composed of men belonging to one

party and of one way of thinking is applicable only to the cabinet system of government, where the party, which is in the majority of the House of Commons must supply the whole body of ministers, who are collectively responsible to it. In India there is to be neither collective nor individual responsibility in the parliamentary sense. As to the difficulty of men of different ways of thinking working together amicably, experience shows that it is exaggerated. The stress of common duties and common conditions of work has great effect in producing harmony. At the risk of overdoing the Swiss analogy, we will quote the authority of Lowell on the subject. After saying that the Swiss federal council includes men of different opinions, he proceeds : " A coalition ministry is always weak, because it is composed of men who, under the pretence of harmony, are continually trying to get the better of each other, and would not hold together if any part of them alone could control a majority in parliament. But as the federal council is not the organ of a majority in the Assembly, the representation of divergent views is frankly acknowledged. Instead of involving a state of smothered hostility, it arises from a real wish to give to openly different opinions a share of influence in the conduct of public affairs. Hence it strengthens the council by broadening its basis, disarming the enmity of the only elements that could form a serious opposition, and enabling it to represent the whole community." Lord Islington recognises the necessity of the executive maintaining smooth relations with the legislative council and trusts that the Viceroy and Governors will choose the Indian members with this object in

view. The authors of the scheme have the identical object in view, and have hit upon the only sure means of attaining it. The heads of Governments are strangers in this country ; the men of local experience on whom they depend for guidance have usually acquired prejudices and partialities which taint their advice. Why not allow the legislative council to choose its own men ? The risk feared by the critics is imaginary ; the real risk is the amount of canvassing and the consequent demoralisation to which the plan of election may lead. Is this the worse evil ? or the suppleness and sycophancy to which the alternative plan may lead ? Experience will show. If its verdict goes against election, it may be dropped.

No Second Chamber.—Within the British empire some provinces of Canada and the provinces of South Africa have the uni-cameral system ; the rest have copied the English model of two houses. Indian opinion, coloured by the radicalism of the west, has set its face against a second chamber. In consequence it is found necessary to introduce the landlord element, the commercial element and a certain proportion of nominated members into the single house of legislature. The popular element is thus clogged and impeded and cannot be sure that it will carry the day on any particular occasion, while the other section must always labour under the consciousness of numerical weakness and unpopularity. Neither has free and full play. It may be contended that, as the legislation of the provinces is subject to a second veto, viz., that of the Governor-General, the delaying and revising action of a second chamber is not an imperative need. This

consideration, however, loses most of its force when applied to the Viceroy's legislature, which is of the nature of a federal government, and there is no example of a federal government which works only with one house: A chamber with about 100 members, 40 of whom may be nominated by the Governor-General for seven years and the remaining 60 elected for the same term so as to represent zemindars with permanently settled estates, other big landlords, the provincial legislatures, chambers of commerce, planting associations, railway companies and other such interests, would add greatly to the efficiency of a central Government which deals with provinces and populations, not only of great magnitude but of great diversity. If such a house be devised, the present one should represent the people directly, of course with special arrangements for Mahomedans and important minorities, and be made wholly elective. The Irish people, who have suffered greatly from the House of Lords in England, have been willing to accept a second chamber as part of their home rule scheme. The *New Statesman*, which cannot be accused of any infatuation for aristocracy or old-world ideas, has an article on the subject of a second chamber, which is full of suggestion. We must find space for a few extracts from it.

" The essential function of a second chamber, it may be suggested, and the only one for which such a body is required, or can be permanently useful, is that of revision in its largest sense. The legislature proper will always be passing bills which ought not to pass into law in the form in which they leave the popular assembly. There will be, in the first place, errors of

drafting, and palpable mistakes and omissions. In the second place, there will not infrequently be a lack of consistency, either of legislation or of policy, in relation to other matters, which the whole community would wish to see righted. Finally, there is, on some measures, the contingency of doubt as to whether the decision of the House of Commons would be upheld by public opinion. The particular measure may have been finally carried only by one vote. It may enact an indefinite prolongation of the life of the legislature. It may have been carried by a moribund house. It may have been rushed through all its stages in a few days, without public opinion becoming aware of what is happening. It may be of a nature to arouse irresistible popular opposition, only that opposition will not instantly manifest itself. British democracy will be in full agreement with the most timid of property owners in not desiring to erect even its elected House of Commons into a position of supreme dictatorship. The case for a second chamber, confined to the proper functions of a second chamber, is irresistible. What is required for a second chamber is a position of independence of the popular Assembly, well-defined functions of its own which it cannot extend, and sufficient power to "hold up" the popular Assembly, without opportunity to compete with it. The second chamber needs to be composed of persons of ripe wisdom and judgment; known to and respected by the public for their personal qualities; not representative of any one class or interest, not even of age or of property in general; and widely inclusive of legal and administrative training and experience. It must not be merely an 'Order of Merit' and assembly

of old men; least of all exclusively a gathering of 'ex's. Popular election does not produce such an assembly as is required. Appointment by the King (that is, by the prime minister for the time being) has proved a failure in Canada and New Zealand, and is obviously unsuited; there is no case for selection from the peerage any more than from the beorage; moreover, its members must not oppress us for life, but must be continually renewed, so as to keep the second chamber always in touch with the opinions of the current generation."

Native States Excluded.—Readers of the scheme are naturally astonished that it ignores Native States altogether, and critics have magnified the effect of the omission by citing their aggregate area, population and political and economic importance. It is not due to oversight or wilful neglect on the part of the political leaders; they have only followed the settled policy of a generation. It would have been suicidal to depart from it on this occasion. Congressmen and Muslim Leaguers are sensible of the great place that Native States occupy in the Indian polity, and some eminent men among these have striven in the past for greater independence of action to their Durbars and better recognition of the personal status of their rulers. The opportunities that they give for the administrative capacity of Indians and the meritorious use to which those opportunities have been put are the theme of universal admiration in India. Every patriotic Indian views with pride the initiative and originality now and then displayed by ruling chiefs and looks to them to give the lead to British India in measures of social amelioration. But beyond

watching them with sympathetic interest from outside, the leaders of large movements in British India have abstained from promoting similar movements within their territories, or allowing their subjects to mix in any all-India organization. Differences of allegiance, of constitutional status and of legal systems, are sufficient to account for the separate channels in which have flowed the political lives of people in British India and Native State India, between whom however there is a community of civilization, tradition, language and material interest. The wisdom of this separateness in matters of citizenship was recognised by the Maharaja of Baroda last year and more recently by the Maharaja of Bikaner, when they declared that no interference on one side or the other was desirable. It is only the Dewan of Mysore who struck a different note the other day and demanded a place for Native States in the councils of the Government of India, which would settle vast issues in which many interests belonging to Native States were deeply involved. Salt, customs, post and telegraph, currency are only a few of the great subjects in which common action for the whole of India is essential. Sir M. Visvesvarayya showed the sagacity of a statesman who breaks new ground when he suggested that the representatives of Native States should speak and vote in the imperial legislature only on the occasions when questions of common concern were under discussion. If this suggestion could be adopted and worked into the all-India scheme of reforms, it would give the utmost satisfaction to the leaders of thought in British India ; and Sir M. Visvesvarayya would render a great service to

the country if he could persuade Native States generally and the final authorities in British India to agree on a workable plan for the purpose. It is not, however, for Congressmen or Muslim Leaguers to push on with the idea actively. As Lord Islington pointed out, Native States must move in such matters of their own free will and accord. Next to the army, Native States are regarded in English political and diplomatic circles as a bulwark of empire, a sensitive and delicate part of a wonderful mechanism, from which the rough and disturbing hand of the politician must be kept at a safe distance. The ways of diplomacy are not open. The position and influence of Residents and Political Agents in respect of Native States defies definition, and there is a wall of diplomatic reserve drawn round the Native States which must be broken down before the promoters of the Congress-League scheme can try to find room in it for their representatives. They have difficulties enough already ; it will not be wise to add to them by incurring the suspicion of interfering with the allegiance of ruling chiefs to the British throne or with that of the people of Native States to their ruling chiefs. The political advance of people in British India cannot but exert a stimulating influence on their brethren of the Native States. This indirect influence must tell in the long run and lead to an approximation, which may be long in coming but which can be hastened only by action from within the States and not from without.

Appendix

Resolution of the Congress

(a) That having regard to the fact that the great communities of India are the inheritors of ancient civilizations and have shown great capacity for government and administration, and to the progress in education and public spirit made by them during a century of British rule, and further having regard to the fact that the present system of government does not satisfy the legitimate aspirations of the people and has become unsuited to existing conditions and requirements, the Congress is of opinion that the time has come when His Majesty the King-Emperor should be pleased to issue a proclamation announcing that *it is the aim and intention of British policy to confer Self-Government on India at an early date.*

(b) That this Congress demands that a definite step should be taken towards Self-Government by granting the reforms contained in the scheme prepared by the All-India Congress Committee in concert with the Reform Committee appointed by the All-India Muslim League (detailed below).

(c) That in the reconstruction of the Empire, India shall be lifted from the position of a Dependency to that of an equal partner in the Empire with the self-governing Dominions.

Resolution of the Muslim League

That the All-India Muslim League, while adopting the scheme of reforms prepared by the Reform Committee of the League and approved by its Council, submits it in conjunction with the Indian National Congress

to the Government for its introduction after the war as the first necessary step towards the establishment of complete Self-Government in India.

The Reform Scheme

I. PROVINCIAL LEGISLATIVE COUNCILS

1. Provincial Legislative Councils shall consist of four-fifths elected and of one-fifth nominated members.

2. Their strength shall be not less than 125 members in the major provinces and from 50 to 75 in the minor provinces.

3. The members of Councils should be elected directly by the people on as broad a franchise as possible.

4. Adequate provision should be made for the representation of important minorities by election, and the Mahomedans should be represented through special electorates on the Provincial Legislative Councils in the following proportions:—

Punjab	—One-half of the elected Indian members.		
United Provinces	—30 per cent.	“	”
Bengal —40 per cent.	“	”
Behar —25 per cent.	“	”
Central Provinces	—15 per cent.	“	”
Madras —15 per cent.	“	”
Bombay — One-third	“	”

Provided that no Mahomedan shall participate in any of the other elections to the Imperial or Provincial Legislative Councils, save and except those by electorates representing special interests.

Provided further that no bill, nor any clause thereof, nor a resolution introduced by a non-official member

affecting one or the other community, which question is to be determined by the members of that community in the Legislative Council concerned, shall be proceeded with, if three-fourths of the members of that community in the particular Council, Imperial or Provincial, oppose the bill or any clause thereof or the resolution.

5. The head of the Provincial Government should not be the President of the Legislative Council, but the Council should have the right of electing its President.

6. The right of asking supplementary questions should not be restricted to the member putting the original question, but should be allowed to be exercised by any other member.

7. (a) Except customs, post, telegraph, mint, salt, opium, railways, army and navy, and tributes from Indian States, all other sources of revenue should be Provincial.

(b) There should be no divided heads of revenue. The Government of India should be provided with fixed contributions being liable to revision when extraordinary and unforeseen contingencies render such revision necessary.

(c) The Provincial Council should have full authority to deal with all matters affecting the internal administration of the province, including the power to raise loans, to impose and alter taxation, and to vote on the budget. All items of expenditure and all proposals concerning ways and means for raising the necessary revenue, should be embodied in bills and submitted to the Provincial Council for adoption.

(d) Resolutions on all matters within the purview of the Provincial Government should be allowed for discussion in accordance with rules made in that behalf by the Council itself.

(c) A resolution passed by the Provincial Legislative Council shall be binding on the Executive Government unless vetoed by the Governor in Council, provided however that if the resolution is again passed by the Council after an interval of not less than one year, it must be given effect to.

(f) A motion for adjournment may be brought forward for the discussion of a definite matter of urgent public importance, if supported by not less than one-eighth of the members present.

8. A special meeting of the Provincial Council may be summoned on a requisition by not less than one-eighth of the members.

9. A bill, other than a money bill, may be introduced in Council in accordance with rules made in that behalf by the Council itself, and the consent of the Government should not be required therefor.

10. All bills passed by Provincial Legislatures shall have to receive the assent of the Governor before they become law but may be vetoed by the Governor-General.

11. The term of office of the members shall be five years.

II. PROVINCIAL GOVERNMENTS

1. The head of every Provincial Government shall be a Governor who shall not ordinarily belong to the Indian Civil Service or any of the permanent services.

2. There shall be in every province an Executive Council which, with the Governor, shall constitute the Executive Government of the Province.

3. Members of the Indian Civil Service shall not ordinarily be appointed to the Executive Councils.

4. Not less than one-half of the members of the Executive Council shall consist of Indians to be elected by the elected members of the Provincial Legislative Council.

5. The term of office of the members shall be five years.

III. IMPERIAL LEGISLATIVE COUNCIL

1. The strength of the Imperial Legislative Council shall be 150.

2. Four-fifths of the members shall be elected.

3. The franchise for the Imperial Legislative Council should be widened as far as possible, on the lines of the electorates for Mahomedans for the Provincial Legislative Councils and the elected members of the Provincial Legislative Councils should also form an electorate for the return of members to the Imperial Legislative Council.

4. One-third of the Indian elected members should be Mahomedans elected by separate Mahomedan electorates in the several provinces in the proportion, as nearly as may be, in which they are represented on the Provincial Legislative Councils by separate Mahomedan electorates.

Vide provisos to section I, clause 4.

5. The President of the Council shall be elected by the Council itself.

6. The right of asking supplementary questions shall not be restricted to the member putting the original question but should be allowed to be exercised by any other member.

7. A special meeting of the Council may be summoned on a requisition by not less than one-eighth of the members.

8. A bill, other than a money bill, may be introduced in Council in accordance with rules made in that behalf by the Council itself, and the consent of the Executive Government should not be required therefor.

9. All bills passed by the Council shall have to receive the assent of the Governor-General before they become law.

10. All financial proposals relating to sources of income and items of expenditure shall be embodied in bills. Every such bill and the budget as a whole shall be submitted for the vote of the Imperial Legislative Council.

11. The term of office of members shall be five years.

12. The matters mentioned hereinbelow shall be exclusively under the control of the Imperial Legislative Council :—

(a) Matters in regard to which uniform legislation for the whole of India is desirable.

(b) Provincial legislation in so far as it may affect inter-provincial fiscal relations.

(c) Questions affecting purely Imperial revenue, excepting tributes from Indian States.

(d) Questions affecting purely Imperial expenditure, except that no resolution of the Imperial Legislative Council shall be binding on the Governor-General in Council in respect of military charges for the defence of the country.

(e) The right of revising Indian tariffs and customs duties, of imposing, altering or removing any tax or

cess, modifying the existing system of currency and banking, and granting any aids or bounties to any or all deserving and nascent industries of the country.

(f) Resolutions on all matters relating to the administration of the country as a whole.

13. A resolution passed by the Legislative Council should be binding on the Executive Government unless vetoed by the Governor-General in Council, provided however that if the resolution is again passed by the Council after an interval of not less than one year, it must be given effect to.

14. A motion for adjournment may be brought forward for the discussion of a definite matter of urgent public importance, if supported by not less than one-eighth of the members present.

15. When the Crown chooses to exercise its power of veto in regard to a bill passed by a Provincial Legislative Council or by the Imperial Legislative Council, it should be exercised within twelve months from the date on which it is passed, and the bill shall cease to have effect as from the date on which the fact of such veto is made known to the Legislative Council concerned.

16. The Imperial Legislative Council shall have no power to interfere with the Government of India's direction of the military affairs and the foreign and political relations of India including the declaration of war, the making of peace and the entering into treaties.

IV. THE GOVERNMENT OF INDIA

1. The Governor-General of India will be the head of the Government of India.

2. He will have an Executive Council, half of whom shall be Indians.

3. The Indian members should be elected by the members of the Imperial Legislative Council.

4. Members of the Indian Civil Service shall not ordinarily be appointed to the Executive Council of the Governor-General.

5. The power of making all appointments in the Imperial Civil Services shall vest in the Government of India, as constituted under this scheme, due regard being paid to existing interests, subject to any laws that may be made by the Imperial Legislative Council.

6. The Government of India shall not ordinarily interfere in the local affairs of a province, and powers not specifically given to a Provincial Government shall be deemed to be vested in the former. The authority of the Government of India will ordinarily be limited to general supervision and superintendence over the Provincial Governments.

7. In legislative and administrative matters the Government of India, as constituted under this scheme, shall, as far as possible, be independent of the Secretary of State.

8. A system of independent audit of the accounts of the Government of India should be instituted.

V. THE SECRETARY OF STATE IN COUNCIL.

1. The Council of the Secretary of State for India should be abolished.

2. The salary of the Secretary of State should be placed on the British Estimates.

3. The Secretary of State should, as far as possible, occupy the same position in relation to the Government of India, as the Secretary of State for the Colonies does

in relation to the Governments of the self-governing Dominions

4. The Secretary of State for India should be assisted by two permanent Under-Secretaries, one of whom should always be an Indian.

VI. INDIA AND THE EMPIRE

1. In any Council or other body which may be constituted or convened for the settlement or control of Imperial affairs, India shall be adequately represented in like manner with the Dominions and with equal rights.

2. Indians should be placed on a footing of equality in respect of status and rights of citizenship with other subjects of His Majesty the King throughout the Empire

VII. MILITARY AND OTHER MATTERS

1. The military and naval services of His Majesty, both in their commissioned and non-commissioned ranks, should be thrown open to Indians and adequate provision should be made for their selection, training and instruction in India.

2. Indians should be allowed to enlist as volunteers.

3. Executive Officers in India shall have no judicial powers entrusted to them, and the judiciary in every province shall be placed under the highest Court of that province.

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